



REQUESTED EXPERT REPORT

Prepared by: Matthew Kimmins, Creative Director, Trial Template Inc.
matthew.kimmins@trialtemplate.com mobile: 415.225.3962

I. PROFESSIONAL BACKGROUND

A. CEO & Creative Director, Trial Template LLC (2015 – Present)

- Established the first subscription-based litigation graphics service, reducing financial risks for clients.
- Engineered a proprietary pre-animated system that integrates seamlessly into PowerPoint, increasing production efficiency by 70%.
- Developed streamlined production workflows to optimize case presentation strategies.
- Secured over 50 clients in the first year, growing a strong presence within the legal graphics industry.
- Sponsored various consumer attorney organizations and exhibited at top-tier legal conferences and trade shows across the U.S.
- Played a direct role in hundreds of successful case verdicts by providing high-quality trial graphics, illustrations, videos, presentations and animations.

B. CREATIVE DIRECTOR, DOLAN LAW FIRM (2014 – 2016)

- Led a team in creating litigation graphics, videos, animations, and demonstratives for trials and mediations.
- Spearheaded the development of advertising and marketing campaigns, increasing client intake by 37%.
- Designed branding materials, including website redesigns, social media graphics, and video presentations.
- Specialized in 3D animation and custom trial graphics to enhance case presentation and jury comprehension.

C. OWNER & CHIEF CREATIVE OFFICER, NARRATIVE GRAPHICS (2011 – 2014)

- Founded and managed a boutique firm specializing in litigation graphics, video production, and 3D animations.
- Delivered high-end graphics, illustrations and animations for law firms, enhancing courtroom visuals.
- Produced “Day in the Life” videos, and custom trial illustrations, animations and presentations
- Developed responsive websites and dynamic HTML5 animations for legal marketing campaigns.

E. FREELANCE WORK – LEGAL & CORPORATE SECTORS (2002 – 2014)

Provided design and illustration services for major corporate clients, including:

- Apple • Facebook • Oracle • Cisco • Pacific Digital Image • Lucasarts • Ogilvy and Mather

Worked on the interface design for the initial launch of the iPhone, iPad and iPod Touch working internally on the Apple campus

Created keynote presentations for Apple’s WWDC and iPhone launch.

Worked on graphics and presentations for the public launch of Facebook.

Designed litigation graphics for prominent law firms, ensuring clarity and impact in complex legal cases.

D. CREATIVE DIRECTOR, HEARST MUSEUM OF ANTHROPOLOGY (2001 – 2004)

Worked closely with curators to design exhibition layouts, interior and exterior graphics, and museum branding.

Developed graphic identities for exhibits. Created scaled 3D digital models of the entire museum for planning, budgeting, and building new exhibits. Created a virtual exhibit layout system to minimize the handling of ancient artifacts.

Led refurbishments that revitalized 85% of the exhibition space within the first year.



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II. EDUCATIONAL BACKGROUND

A. ATLANTA COLLEGE OF ART

BFA Candidate focusing on technical and anatomical illustration, 3D modeling, and minoring in graphic design.

B. COLLEGE OF MARIN 2007-2009

Continued course progression.

C. CONTINUED TECHNICAL TRAINING ADOBE CREATIVE SUITE TRAINING

Technical training within Adobe's San Francisco headquarters.

III. AREAS OF EXPERTISE

I possess a strong classical fine arts foundation balancing traditional and digital skills specializing in the execution of technical designs. I have expertise in video editing software, technical illustration, Adobe Creative Suite, camera operation, video and sound recording, editing software proficiency, storytelling techniques, visual composition, project planning, collaboration skills, and a keen eye for detail that can adapt to different projects and cases quickly.

- 15 years in Litigation Graphics & Trial Presentation
- 26 years Medical Illustration
- 26 years 3D Modeling and Animation
- 26 years Video Production & Editing (After Effects, Premiere, Final Cut Pro)
- 27 PowerPoint & Keynote Presentations
- 25 years Branding & Marketing for Law Firms
- Adobe Creative Suite Mastery
- 29 years Neo Classical Traditional & Digital Illustration
- Web Design (WordPress, HTML5)
- 20+ years Art Direction & Team Management

IV. CONTRIBUTION FOR LEGAL PROCEEDINGS

- Developed trial exhibits, demonstratives, and animations that have played a pivotal role in jury persuasion.
- Created complex medical illustrations, accident reconstructions, and financial timelines to clarify case details.
- Produced compelling "Day in the Life" videos to enhance settlement negotiations and trial presentations.
- Assisted law firms in crafting cohesive visual strategies to strengthen legal arguments and positions.
- Disclosed as an expert witness in video forensics and technical illustration.

My last expert depo was in February 2023 with Shane Hapuarthy of Jacoby Meyers.

I was brought in as an expert in digital video analysis and enhancement.

V. CONCLUSION

With a career spanning nearly 30 years focusing in technical art and design within cultural arts, corporate and legal industries, my work has consistently been at the forefront of traditional art and digital development.

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**EXPERT WITNESS RATE SHEET**

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EXPERT SERVICES AND RATES

SERVICE	HOURLY RATE	MINIMUM HOURS	MINIMUM FEE
Deposition Testimony	\$250/hr	No minimum	Billed per hour
Half Day Trial	\$300/hr	4 hours	\$1,200
Full-Day Trial	\$300/hr	8 hours	\$2,400

BILLING TERMS:

- Court appearances require a minimum commitment of four hours.
- A full-day trial (8 hours) is billed at a flat rate of \$2,400.
- Any additional hours beyond the minimum commitment will be billed at the standard hourly rate.
- Payment is due within 30 days of invoice submission.
- Travel and other related expenses may be billed separately.

Please feel free to contact me with any questions or to discuss specific case requirements.

Matthew Kimmins

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Trial Template Inc.

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L.C., et al. v. State of California, et al., case no. 5:22-cv-00949-KK-SHK
Botten, et al. v. State of California, et al., case no.5:23-cv-00257-KK-SHK

Facts of the Case

On the morning of February 17, 2021, Hector Puga was stopped at approximately 2:39 AM following a police chase that had occurred earlier. Officers deployed pepper balls to compel Puga to exit the vehicle. At approximately 3:42 AM, Puga stepped out of the vehicle with his hands raised in compliance with police commands. He attempted to wipe his face with his shirt both before and during his exit. He had previously complained of eye pain. After exiting, Puga moved to the front of the vehicle while continuing to comply with orders to keep his hands raised. Officers then began to approach him. At 3:48 AM, shots were fired, and Puga began to run. The shooting continued as he attempted to flee. At approximately 3:49 AM, Puga was downed, with a few additional shots fired shortly afterward. At 3:50 AM, screaming was heard. The individuals screaming were members of the Botten family, consisting of the father, mother, and son, all of whom had been shot.

Videos Used

FILE NAME	DESCRIPTION	LENGTH
[COSB009200]	VTs_01_2 Police Vehicle CAM 4	7:12:00
COSB001465	Police Vehicle CAM	50:33:00
COSB001470	Witness Cellphone Video	1:44
COSB001453	Witness Cellphone Video	0:23
COSB001454	Witness Cellphone Video	0:39
COSB001455	Witness Cellphone Video	0:21
COSB001456	Witness Cellphone Video	0:49
COSB001457	Witness Cellphone Video	0:29
COSB001458	Witness Cellphone Video	0:40
COSB001459	Witness Cellphone Video	0:42
COSB001460	Witness Cellphone Video	0:42
COSB001461	Witness Cellphone Video	0:43
Plaintiff 0241	Witness Cellphone Video	9:56

Materials Reviewed

San Bernardino Sheriff's Department Case Summary by Detective Edward Hernandez (COSB000044-000047)
Detailed History for Police Inc #HE210480007 (CAD Report) (COSB000865-000878)
Deposition Transcript of Robert Vaccari
Deposition Transcript of Betzabeth Gonzalez
Deposition Transcript of Erin Mangerino



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Programs Used:

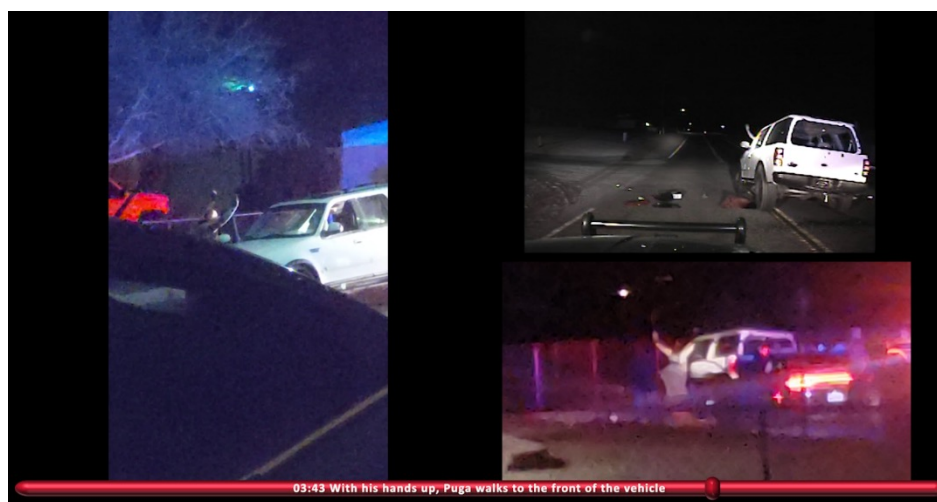
- Adobe Premiere Pro (Digital Video Editing)
- Microsoft PowerPoint (Presentation Construction)
- Adobe Illustrator (Graphics)

TIMELINE COMPOSITION

To create the edited timeline, I imported the video files listed in the provided table into Adobe Premiere Pro. The raw footage was placed into a sequence set to 1920x1080p resolution (Full HD) to maintain consistency across all clips. Once the footage was arranged in the timeline, I synchronized the witness videos with the primary police dashcam footage, which serves as the main reference for the sequence. This synchronization was achieved through a combination of visual and audio cues:

- Visual Synchronization Example: Key visual moments, such as when Puga steps out of the vehicle, were used to align the police video "COSB001465", "Plaintiff 0241.mp4", and "COSB001459", the corresponding witness videos from different angles. This ensured that each video clip was accurately timed to reflect the same event from multiple perspectives.
- Audio Synchronization: In cases where a video did not clearly display a key action seen in the main footage, I aligned the clips using their audio waveforms. By matching similar sounds or spoken dialogue across multiple video sources, I ensured that all clips played in sync within an approximate 2-3 frame margin if they do not view the same instance reliably.

This method allowed for an accurate and consistent reconstruction of events across multiple video sources throughout the compilation video.



1. All Three images of Puga raises his arms at the highest point in each frame of each video for the sake of syncing everything together.



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STAMPS

The CAD report referenced in this case indicates a significant gap—approximately 5 and a half minutes—between the moment Puga steps out of the vehicle and when the shooting occurs. This discrepancy highlights differences between the documented timeline and the available video evidence. Since the video footage does not contain a global timestamp, all time estimates were derived based on the available hour and minute markers present within the footage and the CAD Report. To establish an accurate time reference, I anchored the estimated timestamps to the two verified time markers available in the police report. To determine timestamps within the compiled video, we used Adobe Premiere Pro's "Playhead Position" feature, which tracks the precise location of events within the timeline. By referencing the nearest documented timestamp, I added or subtracted minutes accordingly to estimate when each event likely took place.

It is important to note that all timestamp descriptions like "Pepper Balls are deployed, disorienting Puga", referenced in the compiled video are based solely on what is visually and audibly present within the video itself.

GRAPHICS

The time-related graphics used in the edited timeline were created using Microsoft PowerPoint, then exported to Adobe Illustrator for refinement before being imported into Adobe Premiere Pro. Once placed in the timeline, one of the graphics was animated to move from one end to the other, visually representing the passage of time in the sequence.

EXPORTING PROCESS

The compiled video was exported in H.264 format with a resolution of 1920x1080 (Full HD) at 29.97 frames per second to ensure compatibility and optimal playback quality. The audio was exported in AAC format at 48kHz, configured for stereo output to preserve clarity and consistency across all sources. All other individual video files were exported in their native resolution to maintain the original quality of each source.

SHOT COUNT

Based on the files we have reviewed, we cannot, with any amount of clear specificity, determine how many shots were fired in total, because the audio is so overlapping with loud punctuated waveforms of audio. Prior to Mr. Puga falling to the ground, each one of these audio waveforms that indicate a shot, could be representative of either the gunshot itself or an echo of the gunshot or the waveform is shown to be a solid block of audio with no clear peaks to use to identify a gunshot. The witness videos' audio does have clearer peaks, however they still contain this same overlap and potential echo issue. The audio from these sources could not be clear enough for us to distinctly count shots fired with accuracy. The police vehicle cam view and the audio in the neighbor witness video still contained audio overlap that made it unclear. Thus, while we provided an estimate of the total shot counts reflected in the videos, we are unable to distinctly count shots fired with accuracy. We believe in order to accurately determine the total shot count in the videos, this needs to be put in front of an audio expert for further analysis. However, after Mr. Puga went to the ground, although there were still overlapping punctuated waveforms of audio, or potential echo from gunshots, there were more clear peaks present and less overlap. With slightly clearer peaks, we believe we were able to approximate a more accurate post-fall bullet count.

We still believe this should be put forth in front of an audio expert for better accuracy.

MATTHEW KIMMINS

designer | illustrator | animator



contact



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TrialTemplate.com

A working graphic designer since 1999 whose career has been producing for a rich variety of work that is both legal and corporate. Corporate clients including Apple, Facebook, Oracle, Schawk, Pacific Digital Image and number of the top advertising and graphics agencies around the San Francisco Bay Area. Specializing in technical designs and illustration. I create in a detailed and pragmatic creative space to best serve the end result.



www.linkedin.com/in/matthewkimmins/

capabilities

- Adobe Creative Suite expertise
- After Effects and Premier
- Final Cut Pro
- 3D Studio Max/ Cinema 4D/ Maya
- PowerPoint and Keynote expertise
- Traditional and Digital Illustration expertise
- WordPress and HTML5 proficiency
- Windows and Macintosh OS proficiency
- Art Direction and Team Management experience

education | training

- 1995 • ATLANTA COLLEGE OF ART
1998 BFA Candidate focusing on technical, anatomical illustration, 3d modeling and graphic design.
- 2009 • COLLEGE OF MARIN
2010 Continued course progression towards BFA.
- 2011 • ADOBE CSS TRAINING
2014 Continued software special training at Adobe Office at 601 Townsend St. San Francisco.

experience

- 2014 • TRIAL TEMPLATE LLC
Present TrialTemplate.com, San Francisco Bay Area

CEO and Creative Director
 - Created the first flat rate subscription based graphics operation.
 - Created a pre-animated system that installs into PowerPoint which reduces labor 70%
 - Developed production process.
 - Acquired 50+ clients within the first year.
 - Sponsors and exhibits at several top tier legal tradeshow throughout the United States.
 - The Trial Template product assisted in hundreds of successful verdicts.
- 2014 • DOLAN LAW FIRM
2015 dolanlawfirm.com, San Francisco

Creative Director.
Lead creative, overseeing 2 additional junior staff members, for one of San Francisco Bay Area's largest and established law firms. Initially a client of Narrative Graphics
 - Developed all litigation graphics, videos, animations and demonstratives used in trial, meditation and arbitration
 - Lead designer and creative on all graphic art work and design for quarterly advertising and marketing campaigns
 - Increased overall firm client intake by 37% as a result of targeting advertising campaigns including both print and online
 - Lead illustrator and 3D animator for all custom trial graphics and presentation work
 - Additional branding work includes: website redesign marketing videos, social media graphics, animations and litigation graphics.

experience continued

2011
2014

NARRATIVE GRAPHICS

NarrativeGraphics.com, San Francisco Bay Area

Owner and Chief Creative Officer.

Boutique graphic design firm specializing in litigation graphics, video production, 3d animations, and high end PowerPoint presentations for a variety of top tier law firms in the San Francisco Bay Area. Services include:

- Creating custom advertising campaigns for print and online media
- Creating responsive websites and dynamic HTML5 animations. Doing SEO and social media.
- Video production, Day in the Life and editing depositions
- Custom illustrations, timelines, custom graphics, and video production including 3D animations
- Custom presentations for trials and mediation which include detailed animations, illustrations, and graphic work

PACIFIC DIGITAL IMAGE

pacdigital.com, San Francisco

2011
2010

Retoucher and Illustrator.

Working primarily on Gap, Banana Republic, PG&E, and Salesforce advertising campaigns.

- Followed Art Director's instruction on campaigns by following brand style guides and detailed instructions per campaign.
- Create illustrations for different campaigns.
- Detailed retouching for fashion photography for Gap and Banana Republic brands.
- PowerPoint presentations, videos and collateral prints and display items for different clients.

SCHAWK

schawk.com, San Francisco

2007
2009

Retoucher, 3D Modeler and Illustrator.

Worked primarily on Apple account developing imagery and interface icons for the launch of the iPhone, iPad and iPods.

- Illustrated and created iPhone and iPod touch icons, hardware illustration, interface illustration and iTunes app icon "chicklet" illustrations.
- Designed and created 3d models through Maya and Cinema4d for Apple and Seagate.
- Color correction and retouching work on original Apple photography.
- Re-illustrated album and icon assets from screen shots into 1152 dpi print file.
- Created storyboards for various 3d animations.

2006
2009

FREELANCE WORK

San Francisco Bay Area

Illustration, Graphic Design, Video Graphics, Animation, Presentation and Web Design

- Apple • Facebook • XYZ Graphics
- Cisco • McKesson HBOC • Ode Magazine
- Oracle • Synquest • Cakewalk Creative
- Ogilvy and Mather • Liquid Development

- Created WWDC and iPhone Launch Keynote presentations for Apple.
- Created E3 launch for Facebook and worked on developing icons for Facebook interface.
- Designed and created illustrations for the covers of Ode Magazine.
- Created concept illustrations for LucasArts, World of Warcraft and other games.

2005
2002

HEARST MUSEUM OF ANTHROPOLOGY

hearstmuseum.berkeley.edu, Berkeley

Creative Director.

Worked closely with Curators designing layout of exhibit in all stages. Principle in designing both interior and exterior graphics. Worked with outreach and marketing to create graphic design identity to suit each exhibit and the museum as a whole. Maintained scheduling and budgeting for exhibits department.

- Designed exhibits and exhibition graphic theme.
- Worked with Curators to design, plan and budget for the construction of each exhibit.
- Developed graphic identity for all print materials.
- Created to scale 3d Model of exhibition space for virtual designing and layout.
- Maintained budget and all project timelines.
- Refurbished and redesigned 85% of exhibition space within the first year.

references

Available upon request.

PREVIOUS DEPOSITIONS

BRANDON HANSEN vs. RALPHS GROCERY COMPANY

Jacoby and Meyers

No.: CIVSB2113498

February 13, 2023

Brought in as an expert in digital surveillance video

GWENDOLYN WILSON v. ALAMEDA-CONTRA COSTA TRANSIT LAW

OFFICES OF MICHAEL C. COHEN

Case No.: RG17849057

03/15/2017

Brought in as an expert in surveillance video and litigation graphics.